

08-13-04

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 99,296-D)

In the Application of:

Yatvin et al.

Serial No.: 10/737,342

Filing Date: December 16, 2003

For: Anti-mycobacterial Compounds

Examiner:

K. Weddington

Group Art Unit:

1614

TRANSMITTAL LETTER

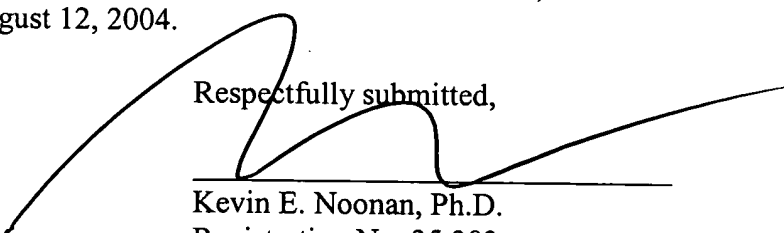
Commissioner for Patents
Alexandria, VA 22313

Dear Sir:

- In regard to the above identified application,
1. We are transmitting herewith the attached:
 - a) Information Disclosure Statement;
 - b) PTO Form 1449 and cited references
 - c) Return postcard
 2. With respect to fees:
 - a) No fees are required
 - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
 3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage Express Mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313 on August 12, 2004.

Date: August 12, 2004

Respectfully submitted,


Kevin E. Noonan, Ph.D.
Registration No. 35,303



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned representative by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Date: August 12, 2004

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Kevin E. Noonan
Reg. No. 35,303



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
		Application No.			
		Filing Date:		November 5, 2001	
		First Named Inventor		Yatvin et al.	
		Group Art Unit		1614	
		Examiner Name		K. Weddington	
Sheet 1 of 2		Attorney Docket No.		99,296-C	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear
		Number	Kind Code ² (if known)			
		6,063,759				
		6,399,607	B1	Welch et al.	June 4, 2002	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. 1	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		ADACHI <i>et al.</i> , "Cloning and Expression of Dipeptidase from <i>Acinetobacter calcoaceticus</i> ATCC 23055", <i>J. Biochem.</i> 118, 555-561 (1995).	
		BARRY <i>et al.</i> , "Pathogenicity and Immunogenicity of <i>Listeria monocytogenes</i> Small-Plaque Mutants Defective for Intracellular Growth and Cell-to-Cell Spread" 1992, <i>Infect. Immun.</i> 60:1625-1632.	
		SUN <i>et al.</i> , "Reduced Pyrazinamidase Activity and the Natural Resistance of <i>Mycobacterium kansasii</i> to the Antituberculosis Drug Pyrazinamide" <i>Antimicrobial Agents and Chemotherapy</i> 43(3)537-542 (Mar. 1999).	
		DENIS <i>et al.</i> , "Killing of <i>Mycobacterium smegmatis</i> by Macrophages from Genetically Susceptible and Resistant Mice", 1990, <i>J. Leuk. Biol.</i> 47:25-29.	
		DREVETS AND CAMPBELL "Roles of Complement and Complement Receptor Type 3 in Phagocytosis of <i>Listeria monocytogenes</i> by Inflammatory Mouse Peritoneal Macrophages", 1991, <i>Infect. Immun.</i> 59:517-523.	
		DREVETS <i>et al.</i> , "Listericidal and nonlistericidal mouse macrophages differ in complement receptor type 3-mediated phagocytosis of <i>L. monocytogenes</i> and in preventing escape of the bacteria into the cytoplasm", 1992, <i>J. Leuk. Biol.</i> 52:70-79.	
		HEIFETS <i>et al.</i> , "Does Pyrazinoic Acid as an Active Moiety of Pyrazinamide Have Specific Activity against <i>Mycobacterium tuberculosis</i> ", 1989, <i>Antimicrob. Agents, Chemother.</i> 33:1232-1234.	
		HOASHI <i>et al.</i> , 1999, <i>Kekkaku</i> 74:441-445	
		HOU <i>et al.</i> , "Molecular Characterization of <i>pncA</i> gene mutations in <i>Mycobacterium tuberculosis</i> clinical isolates from China", 2000, <i>Epidemiol. Infect.</i> 124:227-232.	
		KABAT <i>et al.</i> , 1988, <i>Chem. Pharm. Bull.</i> 36:634-640	
Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC. 20231

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application No.	
				Filing Date:	November 5, 2001
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OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. 1	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²	
		KUSHNER <i>et al.</i> , "Experimental Chemotherapy of Tuberculosis. II. The Synthesis of Pyrazinamides and Related Copounds: 1952, <i>J. Amer. Chem. Soc.</i> 74:3617-3621.		
		MACKALL <i>et al.</i> , "A Mild Prodedure for the Rapid Release of Cytoplasmic Enzymes from Cultured Animal Cells", 1979, <i>Analyt. Biochem.</i> 95:270-274.		
		MARTILLA <i>et al.</i> , "pncA Mutations in Pyrazinamide-Resistant Mycobacterium tubersulosis Isolated fromNorthwestern Russia", 1999, <i>Antimicrob. Agents Chemother.</i> 43:1764-1766.		
		MESTDAGH <i>et al.</i> , "Relationship between Pyrazinamide Resistance, Loss of Pyrazinamidase Activity, and Mutations in the pncA Locus in Multidrug-Resistant Clinical Isolates of Mycobacterium tuberculosis", 1999, <i>Antimicrob. Agents Chemother.</i> 43:2317-2319.		
		MINIYAR AND BHAT, "Pyrazinoic Acid Hydrazide Derivatives: Synthesis and Antimycobacterial Activities", <i>Indian Journal of Heterocyclic Chemistry</i> , vol. 9, Oct.-Dec. 1999, pp. 155-156.		
		NIBBERING <i>et al.</i> , "Bacteriostatic Activity of BCG/PPD-Activated Macrophages Against Mycobacterium fortuitum Does Not Involve Reactive Nitrogen or Oxygen Intermediates", 1994, <i>Scand. J. Immunol.</i> 40:187.		
		PECK, "A One-Plate Assay for Macrophage Bactericidal Activity", 1985, <i>J. Immunol. Methods</i> 82:131-140.		
		RADZIOCH <i>et al.</i> , "Genetic Resistance/Susceptibility to Mycobacteria: Phenotypic Expression in Bone Marrow Derived Macrophage Lines", 1991, <i>J. Leuk. Biol.</i> 50:263.		
		RAYNAUD <i>et al.</i> , "Mechanisms of pyrazinamide resistance in mycobacteria: importance of lack of uptake in addition to lack of pyrazinamidase activity", 1999, <i>Microbiol.</i> 145:1359-1367.		
		SHETTY <i>et al.</i> , "Occurrence of γ -Glutamyl Transpeptidase Activity in Several Mycobacteria Including Mycobacterium leprae", 1981, <i>Intl. J. Lepr. Other Mycobact. Dis.</i> 49:49-56.		
		SING <i>et al.</i> , "Severe Cutaneous Mycobacterium chelonai infection following a yellow jacket sting", 1992, <i>Tubercle & Lung Dis.</i> 73:305.		
		STEVEN <i>et al.</i> , "Mycobacterium fortuitum Keratitis. A Comparison of Topical Ciprofloxacin and Amikacin inand Animal Model", 1992, <i>Cornea</i> 11:500.		
		VAN FURTH <i>et al.</i> , "Mycobacteria and Macrophage Activation" 1990, <i>Res. Microbiol.</i> 141:256.		
Examiner Signature				Date Considered

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